

STATE OF MARYLAND

**MARYLAND DEPARTMENT OF THE ENVIRONMENT**

**Shari T. Wilson, Secretary**

**BILL NO:** HB 771

**COMMITTEE:** Environmental Matters

**POSITION:** Support with Amendments

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**TITLE:** Sustainable Forestry Act of 2009

**BILL ANALYSIS:**

This Bill would enhance the extent and condition of tree and forest cover in the Chesapeake Bay Watershed. The bill sets forth the State's vision for sustaining Maryland's coveted forest lands into the 21<sup>st</sup> Century that is consistent with the Chesapeake Bay 2000 Agreement and the 2007 Forestry Conservation Initiative.

**POSITION AND RATIONALE: Supports with amendments.**

MDE implements Maryland's erosion and sediment control program that includes the plan review, approval, inspection and enforcement of forest harvest operations (FHO). In accordance with Environmental Article Section § 4-103 it shall be the sole responsibility of MDE to implement and enforce Maryland's erosion and sediment control laws and regulations. Therefore, MDE is the sole authority for Maryland's erosion and sediment control program, and it is inappropriate to transfer responsibilities and resources necessary for erosion and sediment control planning and enforcement under Title 4 of the Environmental Article, with respect to silvicultural or FHO practices to the Department of Natural Resources (DNR). This responsibility has been with MDE since its creation in 1987. MDE is also responsible for setting the standards and specifications for all land development activities (e.g., construction, forest harvest operations, etc.). MDE was created to ensure that Maryland had one agency for the States environmental regulatory authority. MDE, currently, and will continue to work with DNR and the Forest Industry to ensure compliance with Environmental Article, Title 4 for erosion and sediment control on FHO projects.

For these reasons, MDE proposes to amend HB771 to retain responsibility and authority for erosion and sediment control for FHO projects and activities.

**FOR MORE INFORMATION,**

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AMENDMENTS TO HOUSE BILL 771  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, after “date;”, strike beginning with “authorizing certain responsibilities” in line 25 down through “circumstances;” in line 27 inclusive.

AMENDMENT NO. 2

On page 20, strike in their entirety lines 20 through 25, inclusive.

AMENDMENT NO. 3

On page 20, in line 26 after “SECTION”, strike “7” and replace with “6”.

On page 20, in line 32 after “SECTION”, strike “8” and replace with “7”.

On page 20, in line 38 after “SECTION”, strike “9” and replace with “8”.

On page 21, in line 1 after “SECTION”, strike “10” and replace with “9”.

On page 21, in line 10 after “SECTION”, strike “11” and replace with “10”.

On page 21, in line 15 after “SECTION”, strike “12” and replace with “11”.